

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**  
**PAUL R. CASTNER,**  
  
**DEBTOR,**  
  
**RONDA J. WINNECOUR, CHAPTER 13**  
**TRUSTEE,**  
  
**MOVANT,**  
  
**VS.**  
  
**PAUL R. CASTNER**  
  
**RESPONDENTS.**

**CASE NO. 18-21827**  
  
**CHAPTER 13**  
  
**DOCUMENT NO. 52**  
  
**RELATED TO DOC NO. 48**

**RESPONSE TO TRUSTEE'S MOTION TO DISMISS**

**AND NOW COMES PAUL R. CASTNER**, the Debtor in the above Chapter 13 case, by and through his attorney, Louis Pomerico, and files this Response to Trustee's Motion to Dismiss and in support thereof avers as follows:

1. Debtor's Chapter 13 Payment Plan is \$1,992.00 per month through a Wage Attachment from his Employer in the amount of \$992.00 and by payments made directly to the Bankruptcy Trustee in the amount of \$1,000.00.
2. Debtor's son is a "Special Needs" Child and receives income from Social Security Disability. An issue arose from Social Security Disability and Debtor's son did not receive his monthly payments. Therefore, Debtor was caused to incur additional out-of-pocket expenses for the care of his child such as physical thereapy several times per week. This resulted in Debtor's

decrease in disposable monthly income and he was unable to make his payments to the Trustee in the amount of \$1,000.00 per month.

3. On or before April 15, 2020, Debtor intends on making a lump sum payment in the amount of Four Thousand (\$4,000.00) Dollars.
4. Once the Debtor makes the lump sum payment of \$4,000.00, the Debtor's Chapter 13 Plan would be in arrears in the approximate amount of \$4,699.00.
5. Beginning April 1, 2020, and every month during the remainder of Debtor's Chapter 13 Plan, his payment to the Bankruptcy Trustee will be \$1,123.66 to cure the arrears.
6. At the remainder of his Chapter 13 Plan, the Debtor will pay the remainder of all arrearages, if any, at that time.

**WHEREFORE**, Debtor, Paul L. Castner, respectfully requests the Trustee not to dismiss this case, but allow the Debtor to cure the default without amending the Plan.

Dated: March 27, 2020

/s/ Louis Pomerico, Esquire  
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